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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,) No. CR 05-0395 CRB
15 Plaintiff,) STIPULATION AND [PROPOSED]
16 v.) ORDER EXCLUDING TIME FROM JUNE
17 CHANG SOO YOUN,) 7, 2006 TO SEPTEMBER 11, 2006
18 Defendant.) UNDER THE SPEEDY TRIAL ACT

19 The parties hereby stipulate as follows:

- 20 1. On June 7, 2006, the parties appeared before the Court, and the Court set a September 11,
21 2006 trial date for this matter.
- 22 2. The parties agree that the time between June 7, 2006 and September 11, 2006 should be
23 excluded from the Speedy Trial clock. Previously, the Court declared this case complex. See 18
24 U.S.C. § 3161(h)(8)(B)(ii). Further, defense counsel is continuing to review the discovery in this
25 case, which exceeds 50,000 pages, and includes numerous Korean language documents and call
26 transcripts. Additionally, the government expects to provide numerous additional boxes of
27 discovery, which defense counsel will need to review to prepare for trial.
- 28

ORDER
CR 05-0395 CRB

1 Thus, the parties agree that a continuance is necessary for the effective preparation of defense
2 counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).
3 The parties also agree that the ends of justice served by excluding the period from June 7, 2006
4 to September 11, 2006 outweigh the interest of the public and the defendant in a Speedy Trial.
5 See id. § 3161(h)(8)(A).

6
7 STIPULATED:

8 June 19, 2006 /S/ PETER B. AXELROD _____
9 DATE PETER B. AXELROD
10 LAUREL BEELER
Assistant United States Attorneys

11 June 19, 2006 /S/ BRIAN BERSON _____
12 DATE BRIAN BERSON
13 Attorney for Chang Soo Youn

14 **ORDER**

15 For good cause shown, with the agreement of the parties, and for the reasons stated above,
16 the Court orders time excluded under the Speedy Trial Act, 18 U.S.C. § 3161, from June 7, 2006,
17 to September 11, 2006. The Court finds that the failure to grant the requested exclusion would
18 deny defense counsel reasonable time necessary for effective preparation taking into account the
19 exercise of due diligence. Further, the Court finds the exclusion warranted on complexity
20 grounds, under 18 U.S.C. § 3161(h)(8)(B)(ii). Thus, the Court finds that the ends of justice
21 served by granting the requested exclusion outweigh the best interest of the public and the
22 defendant in a speedy trial and in the prompt disposition of criminal cases. The Court therefore
23 concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(8)(A),
24 (h)(8)(B)(ii) and (h)(8)(B)(iv).

25 IT IS SO ORDERED.

26
27 DATED: June 20, 2006

28
ORDER
CR 05-0395 CRB

